

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARLA DEL CARMEN MONTOYA,

Petitioner,

v.

DIRECTOR RONALD EDWARDS,

Respondent.

Civil Action No. 17-3952 (MCA)

MEMORANDUM & ORDER


This matter having come before the Court on Petitioner's submission of a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his prolonged detention. It appearing that:

1. On July 26, 2018, Assistant United States Attorney Anthony J. LaBruna wrote on behalf of Respondent to inform the Court that Petitioner was removed from the United States on October 20, 2017. (*See* ECF No. 8; *see also id.* at 2, Declaration of Levon Montelbano, dated July 24, 2018.) Accordingly, there is no longer a live "case or controversy" regarding Petitioner's detention pending removal, *see* U.S. Constitution, Article III, and Respondent asks the Court to dismiss the instant action as moot. *See Nunes v. Decker*, 480 F. App'x 173, 175 (3d Cir. 2012).

IT IS THEREFORE, on this 28 day of Aug, 2018,

ORDERED that the Petition is dismissed as **MOOT** in light of Petitioner's removal from the United States; and it is further

ORDERED that the Clerk of the Court shall mark this matter as **CLOSED**.



Madeline Cox Arleo, District Judge
United States District Court